

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

DUSTIN D. GIFFORD,

Plaintiff,

-vs-

MS. THOMAS, et al.,

Defendants.


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Case No. CIV-16-0685-F

ORDER

Plaintiff, appearing *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. On August 23, 2016, Magistrate Judge Bernard M. Jones filed his Report and Recommendation (doc. no. 10), recommending that this action be dismissed without prejudice because plaintiff had not complied with the magistrate judge's orders to pay the initial partial filing fee. In those orders, plaintiff had been advised that failure to pay could result in dismissal of this action. The Report also advised that any objection to the Report was due by September 13, 2016, and that failure to make timely objection waives the right to appellate review of both the factual findings and the legal issues contained in the Report. The filing fee has not been paid, no objection to the Report has been filed, and there has been no request for an extension of time. After review, and with there being no objection, the Report and Recommendation is **ADOPTED**. This action is **DISMISSED** without prejudice for the reasons stated in the Report.

Dated this 27th day of September, 2016.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE